DEFINITION AND PROCESS
The Identification of Children as Children with Disabilities

Under 34 CFR S300.646 each state is required to provide for the collection and examination of data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the Local Education Agencies (LEAs) with respect to:

1. the identification of children as children with disabilities,
2. the placement of children with disabilities in particular settings, and
3. the incidence, duration and type of disciplinary actions, including suspensions and expulsions.

The definition and process described in this document is for the first of these requirements – the identification of children as children with disabilities.

Data Review, Examination and Analysis

Annually, the December 1 Unduplicated Census Data for students identified with disabilities (http://state.tn.us/education/speced/sedata.shtml) is reviewed for each school district to determine if significant disproportionality exists based on race and ethnicity with respect to the identification of children with disabilities.

The state's review of this data utilizes the *relative risk ratio (RRR)* for examination of significant disproportionality of students with disabilities by the federal reporting race/ethnicity categories [(American Indian/Alaska Native, Asian/Pacific Islander, Black (not Hispanic), Hispanic, and White (not Hispanic)]. Data review and examination includes:

- disproportionate representation of racial and ethnic groups in special education and related services and
- disproportionate representation of racial and ethnic groups in the high incidence disability categories of Autism, Emotional Disturbance, Mental Retardation, Other Health Impaired, Specific Learning Disabilities, and Speech and Language Impairment.

Disproportionality, defined as both overrepresentation and underrepresentation, is reviewed through the process of including all racial/ethnic groups (majority and minority) in the disproportionality calculation and review. The effect of including all five racial/ethnic groups in analysis of overrepresentation allows for the review of potential significant underrepresentation of all racial/ethnic groups.

Analysis of this data is used for the identification of school districts with significant disproportionality as defined below:

Significant Disproportionality - Overrepresentation
- Racial/ethnic group Enrollment of ≥ 50 in the LEA (source: State Report Card)
- Racial/ethnic group Child Count of ≥ 10 (source: Dec. 1 Census)
- Relative Risk Ratio (RRR) of ≥ 3.0 in the disability categories reviewed

    *   Systems who have a total enrollment of ≤ 100 in **all** other ethnic groups combined (not including the ethnic group identified) will be targeted for focus monitoring by the Division of Special Education. These systems will **not** be required to reserve 15% for early intervening services.

Determination of Significant Disproportionality

Annually after review of data from the December 1 Unduplicated Census from the preceding FFY, all local education agencies are notified of system status as determined by data analysis. The data included in this notification describes for each of the areas reviewed whether there is no identified disproportionality, potential disproportionality or significant disproportionality.

Relative Risk Ratio for data reviewed	Description	Action Required
0-1.99	No identified disproportionality	None
2.00-2.99	Potential disproportionality	Recommend LEA review policies and procedures and local analysis of identification procedures SEA provide technical assistance upon request
3.00-above	Significant disproportionality	Require the LEA to: • reserve 15% of IDEA Part B allocation for Early Intervening Services. The 15% reserve is required each year thereafter until the district meets the State target; • review policies, procedures, and practices related to the identification of children with disabilities utilizing the Abbreviated NCCRESt Rubric for Looking at District Practices; and • publicly report on the revisions of policies, procedures, and practices.

Determination of Disproportionate Representation
Each LEA identified as having Significant Disproportionality is required to conduct and submit to the SDE the Abbreviated NCCRESt Rubric for Looking at District Practices. The purpose of this review is to determine if the district's significant disproportionality is the result of inappropriate identification of children with disabilities. If disproportionality is due to inappropriate identification procedures, the LEA will be required to correct the noncompliance, including revising deficient policies, procedures, and practices.